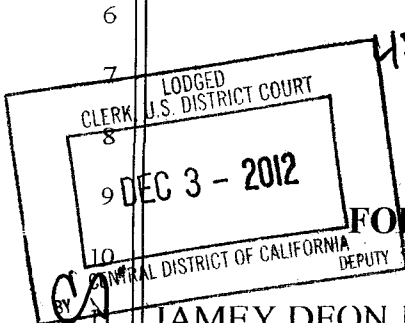


1 **JAMEY DEON JIMERSON**
2 1799 Alicante St.
3 Pomona, CA 91768
4 Telephone: (909) 717-4503
5 Facsimile: (424) 785-1126
6 E-mail: jjjetplan3@gmail.com

7 Plaintiff in Pro Per,
8 JAMEY DEON JIMERSON



9 **UNITED STATES DISTRICT COURT**

10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

11 **JAMEY DEON JIMERSON**
12 , an individual

CV 12-10318
Case No.:

13 **COMPLAINT FOR:**

14 Plaintiff,
15 vs.
16 MDA CAPITAL INC., a corporation,
17 and DOES 1-10, inclusive,
18 Defendants.

1) **VIOLATION OF THE FAIR
CREDIT REPORTING ACT
(FCRA) [15 U.S.C. §1681b] (3)
(A) AND CIVIL LIABILITY
FOR WILLFUL
NONCOMPLIANCE [15 U.S.C.
§1681n].**

19 **DEMAND FOR JURY TRIAL**

20
21 **COMPLAINT**

22 Come now PLAINTIFF JAMEY DEON JIMERSON, an individual, and complain
23 and allege against Defendants, MDA CAPITAL INC., and DOE DEFENDANTS 1
24 through 10 as follows:
25

26 **VENUE AND JURISDICTION**

27
28 1. This action is brought pursuant to (FCRA) 15 U.S.C §1681 *et seq.*

1
2 2. Jurisdiction is founded on 15 U.S.C. § 1681p Statutory Provisions of the
3 FCRA. Venue is proper in the Central District of California. The injuries occurred
4 within the County of Los Angeles City of Pomona California.
5

6 **COMMON ALLEGATIONS**
7

8 3. At all relevant times mentioned in this complaint, Plaintiff was a resident of
9 the County of Los Angeles, State of California.
10

11 4. At all times mentioned herein, Defendants were not licensed to do business
12 in the County of Los Angeles, State of California.
13

14 5. At all times mentioned herein, MDA CAPITAL INC. is a private corporate
15 business entity(hereinafter referred to as "MDA")
16

17 6. Plaintiff is ignorant of the true names and capacity of those Defendants
18 sued herein as DOES 1 through 10 inclusive, and therefore sues them by such
19 fictitious names. Plaintiff will amend this Complaint to show the true names and
20 capacities of said DOE Defendants when the same are ascertained.
21

22 7. Plaintiff is informed and believes and, based upon such information and
23 belief, alleges that the Defendants through their actions are responsible in some
24 manner for the events and happenings referred to herein and such actions are the
25 legal cause of statutory injury to the Plaintiff as herein alleged.
26
27
28

1 8. Plaintiff is informed and believes and, based upon such information and
2 belief, alleges that, at all times herein mentioned, each and every Defendant was
3 not authorized to conduct business in the County of Los Angeles and the State of
4 California. At all times relevant hereto, said DEFENDANTS were not acting
5 within the scope of a business license within the County of Los Angeles and State
6 of California.
7
8

9 9. At all times relevant hereto DEFENDANTS employed organized unlawful
10 customs, illegal practices of privacy violations, making inaccurate statements in
11 correspondence, illegally obtaining personal information and intentionally causing
12 emotional distress upon the PLAINTIFF. Said misconduct was known by,
13 encouraged, tolerated and or condoned by DEFENDANTS, all.
14
15

16 10. This action arises from statutory damages sustained by the Plaintiff as a
17 result of the inquiry on his consumer credit report by Defendant "MDA" and each
18 of them all.
19

20 11. Plaintiff received a copy of his "EQUIFAX consumer credit report" on
21 February 09, 2012.
22

23 12. After reviewing the EQUIFAX consumer credit report Plaintiff noticed an
24 unauthorized inquiry by Defendant "MDA" on August 07, 2011.
25

26 13. Said "EQUIFAX consumer credit report" is attached to the complaint as
27 exhibit "A".
28

1 14. Upon review of his EQUIFAX consumer report Plaintiff holds that
2 Defendant "MDA" is not a verifiable creditor of the PLAINTIFF, and
3 DEFENDANT "MDA" neither is nor was retained by any verifiable creditor of the
4 PLAINTIFF. DEFENDANT "MDA" does not have a permissible purpose allotted
5 under the law.
6

7
8 15. Plaintiff then became aware that DEFENDANT "MDA" at the time of the
9 inquiry was not and is not presently authorized to conduct business in the County
10 of Los Angeles, State of California.
11

12 **FIRST CAUSE OF ACTION**

13 **VIOLATION OF THE FAIR CREDIT REPORTING ACT (FCRA) [15**

14 **U.S.C. §1681b] (3) (A) AND CIVIL LIABILITY FOR WILLFUL**

15 **NONCOMPLIANCE [15 U.S.C. §1681n].**

16 **Against All Defendants**

17
18
19 16. Paragraphs 1 through 15 are realleged as though fully set forth herein.

20 17. Plaintiff re-alleges, adopts and incorporates as if set forth at length hereat,
21 and to the extent applicable, paragraphs 1 through 16 above.
22

23 18. In doing the things set forth above, the Defendants, and each of them,
24 violated rights of the PLAINTIFF; against inaccurate and unfair credit reporting as
25 guaranteed by the Fair Credit Reporting Act (FCRA), 15 U.S.C. §1681.
26
27
28

1 19. As set forth above, those violations include, but are not limited to,
2 impermissible purpose in requesting the consumer credit report of the PLAINTIFF
3 from EQUIFAX, a credit reporting agency; Adverse action resulting in unfavorable
4 changes to the consumer credit report of the PLAINTIFF. This company is
5 presumed to have competent knowledge of the permissible purpose requirements
6 of the Fair Credit Reporting Act. Obtaining the consumer report of the Plaintiff in
7 this manner presumes this action as a part in a pattern of willful non compliance.
8
9

10 20. As a proximate result of the actions of Defendant "MDA", and each of
11 them all, Plaintiff was caused to endure unfavorable credit reporting and judgment
12 from that inaccurate reporting by Defendant "MDA", and each of them all.
13 Plaintiff was also caused an unfair breach in the privacy afforded to the Plaintiff
14 under the law. Other relevant damages incurred by the Plaintiff will be more
15 specifically proven at trial.
16
17
18

19 21. As a proximate result of the actions of the Defendant "MDA", and each of
20 them all, Plaintiff has been injured in mind and body as well as financially all in a
21 value determined by proof at trial.
22
23

24 **PRAYER**

25 WHEREFORE, Plaintiff requests a trial by jury and prays judgment against the
26 Defendants as follows:
27
28

AS TO THE FIRST CAUSE OF ACTION

1. Statutory damages in an amount to be determined by proof at trial;
2. Attorney's Fees and Costs of litigation pursuant to §42 U.S.C. 1988;
3. Interest according to law; and
4. Any other and further relief that the Plaintiff may be entitled to and the Court deems just and proper.

Dated: November 30, 2012

By: 

By, JAMEY DEON JIMERSON,
Plaintiff in Pro Per

1 I am a PLAINTIFF in this action. I have read the foregoing allegations in the
2 complaint. The matters stated in the complaint are true of my own knowledge
3 except those matters stated on information and belief, and as to those matters I
4 believe them to be true.
5

6
7 I declare under penalty of perjury under the laws of the United States of America
8 that the foregoing is true and correct.
9

10 Date: November 30, 2012
11

12 [JAMEY DEON JIMERSON]
13

14 **DEMAND FOR JURY TRIAL**
15

16
17 PLAINTIFF JAMEY DEON JIMERSON, hereby respectfully demands that
18 the present matter be set for a jury trial.
19

20
21 Dated: November 30, 2012
22

23 By: 
24

By, JAMEY DEON JIMERSON,
Plaintiff in Pro Per
25
26
27
28

EXHIBIT A

Name of Company **Date of Inquiry**

NEWMAN DROLLA MATHIS 08/04/10
BRADY WAK

1K

Creditor Contact Information

NEWMAN DROLLA MATHIS BRADY WAK
212 VETERANS BLVD
METAIRIE, LA 70005
(504) 837-9040


- SENT - 3/2/12

Inquiries that do not impact your credit rating

These inquiries include requests from employers, companies making promotional offers and your own requests to check your credit. These inquiries are only viewable by you.

Company Information	Date of Inquiry		
PRM-AT&T WIRELESS	01/27/12, 11/22/11, 07/27/11	3K	SENT ADDRESS ON FILE
PRM-CAPITAL ONE	03/24/11, 03/02/11		SENT ADDRESS ON FILE
PRM-DIRECT LENDING SOURCE INC	08/30/11, 07/01/11, 03/28/11	3K	
PRM-DR. LEONARD'S	12/27/11		SENT ADDRESS ON FILE
EQUIFAX	02/09/12		
PRM-MDA CAPITAL, INC.	09/07/11	2K	SENT ADDRESS
PRM-QUICKCLICK LOANS LLC/SELECT	05/23/11	2K	SENT ADDRESS
AR-WELLS FARGO BANK NA	04/25/11	2K	SENT ADDRESS

Prefix	Prefix Description
PRM	Inquiries with this prefix indicate that only your name and address were given to a credit grantor so they can provide you a firm offer of credit or insurance. (PRM inquiries remain for twelve months.)
AM or AR	Inquiries with these prefixes indicate a periodic review of your credit history by one of your creditors. (AM and AR inquiries remain for twelve months.)
EMPL	Inquiries with this prefix indicate an employment inquiry. (EMPL inquiries remain for 24 months)
PR	Inquiries with this prefix indicate that a creditor reviewed your account as part of a portfolio they are purchasing. (PR inquiries remain for 12 months.)
Equifax or EFX	Inquiries with these prefixes indicate Equifax's activity in response to your contact with us for a copy of your credit file or a research request.
ND	Inquiries with this prefix are general inquiries that do not display to credit grantors. (ND inquiries remain for 24 months.)
ND MR	Inquiries with this prefix indicate the reissue of a mortgage credit report containing information from your Equifax credit file to another company in connection with a mortgage loan. (ND inquiries remain for 24 months.)

 [Back to Top](#)

Negative Accounts

Accounts that contain a negative account status. Accounts not paid as agreed generally remain on your credit file for 7 years from the date the account first became past due leading to the current not paid status. Late Payment History generally remains on your credit file for 7 years from the date of the late payment.

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) JAMEY DEON JIMERSON , an individual	DEFENDANTS MDA CAPITAL INC., a corporation, and DOES 1-10, inclusive,
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) JAMEY DEON JIMERSON 1799 Alicante St. Pomona, CA 91768 Telephone: (909) 717-4503	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ 1000.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 15 U.S.C. § 1681

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
--	--	--	---	---	---

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES COUNTY	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Pinellas County

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES COUNTY	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date NOVEMBER 30, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))